



Town of Hampden

Planning Board

Wednesday, January 13, 2021, 7:00 pm

Municipal Building Council Chambers

## Minutes

This meeting was held via remote means (Google Meet) due to the Covid-19 Pandemic, in accordance with SP0789 / LD2167, An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency.

### In Attendance:

#### Planning Board

Kelley Wiltbank, Chair  
Jake Armstrong  
Jennifer Austin  
Richard Tinsman, Vice-Chair  
Gene Weldon

#### Staff

Sarah DelGizzo, Contract Planner  
Wanda Libbey, Recording Clerk  
Ryan Carey, CEO  
Amy Ryder, Economic Development Director  
Paula Scott, Town Manager

#### Public

Jim Kiser  
James Rushing  
Nate Niles  
Jordan Betts

The meeting was called to order at 7:00 pm. Chairman Wiltbank explained that this meeting is being held remotely, with himself, Gene Weldon and Jake Armstrong in the Council Chambers and everyone else via Google Meet, in accordance with the guidelines for the pandemic. He took attendance by roll call; all members listed above participating with both audio and video. It was established that all board members were able to hear and speak to all the other members. All staff and public participants could likewise hear and speak to all other participants.

### 1. Administrative

#### a. Election of Officers

##### i. Chair

**Motion** member Tinsman to nominate member Wiltbank to serve as Chair; second by member Weldon; motion carried 4/0/0 by roll call (member Wiltbank abstained).

##### ii. Vice-Chair

**Motion** member Weldon to nominate member Tinsman to serve as Vice-Chair; second by member Austin; motion carried 4/0/1 by roll call (member Tinsman abstained).

#### b. Minutes – Nov. 17, 2020 amended regular meeting and Dec. 9, 2020 regular meeting.

**Motion** by member Weldon to approve the amendments to the minutes of November 17, 2020 regular meeting; second by member Tinsman; motion carried 5/0/0 by roll call vote.

**Motion** by member Weldon to approve the minutes of the December 9, 2020 regular meeting; second by member Tinsman; motion carried 3/0/0 by roll call (member Armstrong and member Austin abstained).

## 2. Old Business

- a. BNA Monroe Property – Public Hearing regarding a proposed lot line adjustment for property located on Monroe Rd., in the Rural district; parcel 02-0-024.

Chairman Wiltbank opened the public hearing at 7:04 pm.

Jim Kiser, representing the applicant, presented the plan:

- Following the approval, October 14, 2020, Planning Board meeting the surveyors uncovered an additional plan of the former Gilmore Rd.
- Based on that plan they found a better definition of the northerly property line was uncovered.
- The northerly property line in the only line impacted.
- This changed the overall area by approximately five hundredths of an acre.
- Corrections were made to the plans to ensure they have the proper boundary associated with the project.

Sarah DelGizzo, Contract Planner explained that the changes to the total land area of the project are on the northeastern corner of the lot and are slight. This is a simple boundary line adjustment with no impact on the site plan or proposed structures.

Ryan Carey, Code Enforcement Officer said it would be beneficial down the road as it is now better defined.

Questions:

Member Weldon asked if it was a particular pin or the whole alignment on the northern side? Jim explained that originally a granite monument was thought to be the corner line. When we traced back through the plan of the Gilmore Rd., it pushed that part of it a little bit to the north.

Chairman Wiltbank closed the public hearing at 7:10 pm.

Discussion:

It was decided that there would be two motions. One for the BNA Monroe Properties Subdivision and one for Pine Grove Subdivision.

**Motion** by member Weldon to approve the BNA Monroe Property minor boundary line adjustment to the Minor Subdivision property located on Monroe Rd., in the Rural district, parcel 02-0-024 as submitted; second by member Tinsman; motion carried 5/0/0 by roll call vote.

**Motion** by member Weldon to approve the Pine Grove Estates Subdivision minor boundary line adjustment to the Minor Subdivision property located on Monroe Rd., in the Rural district, parcel 02-0-024 as submitted; second by member Armstrong; motion carried 5/0/0 by roll call vote.

## 3. New Business

- a. Origins Sale ME LLC – Public Hearing regarding a proposed adult use marijuana cultivation and manufacturing facility for property located at 20 Triangle Rd, in the Industrial District; parcel 20-0-003.

Chair Wiltbank explained that the applicant for Origins Sale ME LLC rescinded their application via email just prior to this meeting. Copy of email attached to these minutes as Exhibit A.

- b. Hampden Holdings LLC – Public Hearing regarding a proposed 4.95 +/- MWac ground mounted solar array to be located on Meadow Rd., in the Rural district; parcel 02-0-040.

Kelley Wiltbank, Chairman opened the public hearing at 7:16 pm.

Jordan Betts, employee of Wisecamper Co. who is the current owners of Hampden Highlands LLC, presented the proposed plan:

- 4.95-MW/AC array
- Flag shaped lot that runs down to Kennebec Rd.
- Ground mounted array.
- Minor clearing of property.
- Least amount of impact both environmental and visually.
- Approx. 18,200 panels/modules on this site.
- Will be entering into the grid on Meadow Rd. after upgrades to grid.
- Submitted application with DEP for NRPA and Site Law permitting six to seven weeks ago.
- All electrical equipment will be behind a secured fencing.
- There will be a Knox Box on the fence for emergency purposes.

Questions:

Amy Ryder, Economic Development Director asked Jordan what does it mean that to connect to the Meadow Rd. you will have to do updates to the grid? Jordan Betts explained that they go through this process we must undergo a study for this specific array which in this case is Versant Power. They then come back and tell us what will be required by us to connect to the grid. With this project we must add a couple of reclosures to the grid and add approximately two miles of upgraded three phase power lines from Kennebec Rd. to Meadow Rd.

Chairman Wiltbank closed the public hearing at 7:27 pm.

Sarah DelGizzo, Contract Planner noted that an initial review has been done on this project since the Planning Board last saw it on December 9, 2020, when the applicant was on the agenda for an informational session. The additional information requested was specifically to meet the submission requirements for the Solar Ordinance. The information included significant wildlife habitat mapping, addition information on the utility plan, flood plans. The applicant also submitted a public outreach plan as well as a decommissioning plan.

Sarah DelGizzo said that she included in the Planner Memo a Condition of Approval that the applicant provide the Town of Hampden with a performance bond before any building permit is issued. This will just assure that the town have access to the funds to decommission the project appropriately. The applicant is in the process of working with DEP to finalize a performance bond currently.

Ryan Carey, Code Enforcement Officer asked that all the DEP correspondence, site law, NRPA permits be forward to him as soon as possible it will just help move things along smoother. The applicant has done other projects in town and they have been very easy to deal with from beginning to end.

Gene Weldon asked that the following condition be added: must obtain appropriate State DEP permits such as but not limited to site law and NRPA.

Jennifer Austin asked Mr. Betts if he had any comments about either of the conditions added to the order? Mr. Betts hope is that they can come up with a reasonable way to have only one bond as opposed to two.

Gene Weldon stated that Town Council will make the decision on the bond.

Ryan Carey spoke of a concern from abutter Mary Yurlina concerning Japanese knotweed that grows on this property. This plant is very invasive, and the abutter hopes that care is taken so that it does not spread any further. Also is concerned as to the maintenance taken under the panels. Will it be maintained chemically or mechanically? Mr. Betts stated that it would be maintained mechanically only, and this will be done no more than once a year. The email from Mary Yurlina is attached to this email as Exhibit B.

**Motion** by member Tinsman that based on the findings, dated January 13, 2021 and the representations made during this meeting I move that the Planning Board approve the conditional use and Major Site Plan application to develop and operate a 4.95 +/- MW/AC (approx. 23.3 acres) ground mounted solar facility at Meadow Road in the Rural District, subject to following conditions:

1. Before the issuance of building permits, the applicant will provide the Town of Hampden a performance bond or evidence of a performance bond with the State that will be available in the event of abandonment and the need for decommissioning of the facility.
2. Must obtain appropriate State permits such as but not limited to Site Law and NRPA.

second by member Weldon; motion carried 5/0/0 by roll call vote.

#### 4. Staff Report

Ryan Carey updated Planning Board on the implantation of digital permitting online. Ryan announced that this is ahead of schedule and will be launched before spring of this year.

#### 5. Planning Board Comment

Jennifer Austin asked if someone would explain why Origins Sale LLC was removed from the agenda?

Amy Ryder explained that Origins applied with a contingency for the purchase at 20 Triangle Rd., but the seller decided to sell to someone else. Because of this they withdrew their application.

#### 6. Adjournment

**Motion** member Tinsman moved to adjourn the meeting at 7:39 pm, seconded by member Weldon; motion carried by roll call vote 5/0/0.

Respectfully submitted by Wanda Libbey,  
Administrative Asst.